

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

UNITED STATES OF AMERICA )  
v. )  
LUZ RODRIGUEZ, )  
Defendant. )  
)  
)  
)  
)  
)  
)  
Case No. 5:08CR00038  
FINAL ORDER  
By: James P. Jones  
United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is  
**ORDERED** as follows:

1. Defendant's Motion to Vacate, Set Aside or Correct the Sentence pursuant to 28 U.S.C.A. § 2255 (ECF No. 95) is DENIED;
2. The government's Motion to Dismiss (ECF No. 107) is considered

MOOT; and

3. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: February 21, 2012

/s/ James P. Jones  
United States District Judge